



www.capedownwinders.info

PO Box 303
South Harwich, MA 02664
July 25, 2016

George Papadopoulos
EPA Office of Ecosystem Protection
5 Post Office Square, Suite 100
Mailcode OEP 06-1
Boston, MA 02109-3912

RE: DRAFT AUTHORIZATION TO DISCHARGE UNDER NPDES FOR ENTERGY'S PILGRIM NUCLEAR POWER STATION (NPDES PERMIT NO. MA0003557)

Dear Mr. Papadopoulos,

On Behalf of Cape Downwinders, the following comments highlight our concerns with the draft NPDES permit for the Pilgrim Nuclear Power Station operated by Entergy Corporation in Plymouth, MA. The Nuclear Regulatory Commission has determined Entergy's operation of Pilgrim to be one of the worst in the country with ongoing violations of their regulations. The EPA should take note.

The Clean Water Act stipulates that the NPDES permit is to be renewed every 5 years and each renewal requires a new analysis in support of the goal to eliminate pollution. The important reasons for the 5 year renewal is 1) to allow businesses to adopt new technology and 2) it allows the permits to evolve to reflect advances in technology in order to be effective.¹ To be successful, there needs to be management and oversight with serious regulation to achieve that goal.

The EPA must enforce the law. Not doing so raises serious questions about accountability and responsibility. Entergy is in violation of the CWA by using outdated cooling technology. Is this why the EPA allowed 20 years to lapse before reviewing Entergy's permit to pollute and damage Cape Cod Bay? To avoid implementing the law? Has the EPA effectively stonewalled CWA progress while Entergy exploits and damages the public's natural resources?

¹ <http://www.ctriver.org/projects/telling-vermont-yankee-to-cool-it/>

For over 44 years, the ‘once through cooling’ water intake system at Pilgrim has clearly damaged our treasured Cape Cod Bay and the marine life that inhabits it. Pilgrim is a GE Mark 1 reactor built by Bechtel in the late 1960’s. It went online in 1972. The 1960’s technology is outdated, and is not the ‘best technology available’ as now required by the CWA:

Any standard established pursuant to section 1311 of this title or section 1316 of this title and applicable to a point source shall require that the location, design, construction, and capacity of cooling water intake structures reflect the best technology available for minimizing adverse environmental impact.²

Those adverse environmental impacts are documented in the written comments of Cape Cod Bay Watch, Pilgrim Watch, and the Association to Preserve Cape Cod which clearly address the damages done to the environment.

This GE Mark 1 boiling water reactor has already shown the world through the Fukushima catastrophe the tragically failed design that does not withstand the test of time. The current cooling system used at Pilgrim is part of that outdated design. We should not rely on 60’s technology to protect the public health and safety, nor consider it capable of protecting the environment. GE didn’t care about repercussions of a known defect in their containment design that threatens public health and safety. Fukushima was not an accident but a predicted tragic event. Does the EPA think Bechtel was concerned about the damage to the environment from the cooling system back then? It was not designed with those considerations. Cape Cod Bay is Entergy’s dump.

The NPDES permit which the EPA is recommending allows Entergy to continue to use the damaging ‘once through cooling’ system through the closing date of 2019 and after shutdown. In VT, even though Entergy was closing Vermont Yankee in December of 2014, the Vermont utility directors issued a new thermal discharge permit in March of 2014 and changed the terms of the permit to hold Entergy accountable.³ Three more years of knowingly damaging the environment is both unacceptable and irresponsible. After 20 years of a free pass, action to end the destruction is needed now.

We agree with the state of New Jersey in their similar efforts to protect Barnegat Bay with their call for shutdown of Oyster Creek NPP.

² <https://www.law.cornell.edu/uscode/text/33/1326>

³ <http://www.ctriver.org/projects/telling-vermont-yankee-to-cool-it/2>

“Close Oyster Creek Nuclear Power Plan: Shutdown of the plant is the best technology available to ensure that Oyster Creek withdrawals from Barnegat Bay for cooling purposes and discharges from the plant do not damage the ecological health of the Bay. The plant closure agreement established a definite timeframe in which use of the Bay for cooling water will cease. Closure of the plant will have a significantly more beneficial environmental impact than requiring the installation of cooling towers, which under the best case scenario, would take seven or more years to be installed, and, unlike plant closure, would result in significantly greater continued water withdrawals and discharges.”⁴

The EPA has a responsibility to the citizens. Failure by the EPA to meet its commitment to protect the environment falls in the same criminally negligent category as the Nuclear Regulatory Commission’s failure to protect the public health and safety. With this review, the EPA now has the opportunity to deny Entergy a new permit to prevent ongoing damage Cape Cod Bay and marine life for another three years.

In order for the EPA to perform its statutory duty, Cape Downwinders call for the immediate shutdown of Pilgrim as the ‘Best Technology Available’ in order to protect Cape Cod Bay and the marine environment from any further damage by Entergy.

We also support the statements submitted by Cape Cod Bay Watch/Jones River Watershed, Pilgrim Watch, and Association to Preserve Cape Cod.

For Cape Downwinders,

Steering Committee:

Diane Turco, Harwich tturco@comcast.net
Arlene Williamson, Mashpee a.williamson99@comcast.net
Susan Carpenter, South Dennis scarpenter1103@gmail.com
Elaine Dickinson, Harwich edickinson1149@gmail.com
Margaret Steven, Bourne cybermaga@gmail.com
Maxine Wolfset, Mashpee maxwolfset@comcast.net
William Maurer, Falmouth wmmaurer@comcast.net
Don Barton, Mashpee dbarton357@gmail.com
Karen Quinn, Centerville kequinn101@comcast.net
Mary Conathan, Chatham marathan@verizon.net
Bonnie Brydges, Harwich bonbry@verizon.net
Sarah Thacher, East Dennis benthacher@hotmail.com

⁴ <http://www.nj.gov/dep/barnegatbay/plan-oystercreek.htm>